

SENATE BILL 3171

By Haynes

AN ACT to amend Tennessee Code Annotated, Section 13-3-403 and Section 13-3-405, relative to subdivision plat street acceptance and maintenance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 13-3-403(b), is amended by designating the existing language as subdivision (b)(1) and adding the following language as subdivision (b)(2):

(2) When a municipal planning commission has been designated as a regional planning commission and the municipality's chief legislative body is responsible for accepting public streets under § 13-3-405, the municipal attorney of the municipality with the authority to accept the subdivision street may enforce the subdivision bond, assessment or other method of assurance relative to street construction and maintenance.

SECTION 2. Tennessee Code Annotated, Section 13-3-405, is amended by deleting the section in its entirety and by substituting instead the following language:

(a) The approval of a plat by the regional planning commission shall not be deemed to constitute or effect an acceptance by any county or municipality or by the public of the dedication of any road, street, or other ground shown on the plat.

(b) When a municipal planning commission has been designated as a regional planning commission, it has the authority to enforce its subdivision regulation to street construction specifications and the authority to inspect the street denoted on a subdivision plat both during and after construction to ensure compliance with the commission's subdivision regulations. The acceptance of platted streets located outside

the corporate limits, but within the municipality's planning region rests with the municipality. Even though a road is located outside the municipal boundary, if the municipality's chief legislative body accepts such a street, then it becomes a municipal public street and the municipality becomes responsible for its maintenance, repair, and other normal and necessary public street work.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.